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BY-LAWS, RULES AND REGULATIONS
OF THE
BOARD OF MANAGERS
OF THE
HOUSE OF REFUGE.

ADOPTED, JANUARY, 1876.

With An Appendix Containing the Articles of Association, Act of
Incorporation, and Acts of Assembly relating
to the House of Refuge.

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PHILADELPHIA:
EDMUND DEACON'S FRANKLIN PRINTING HOUSE,
38 HUDSON STREET, ABOVE CHESTNUT,
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BY-LAWS, RULES AND REGULATIONS,

OF THE

BOARD OF MANAGERS OF THE HOUSE OF REFUGE.

CHAPTER I.

BOARD OF MANAGERS.

SEC. 1.—The Board of Managers shall, at their first meeting after the annual election in January of each year, elect by ballot a Chairman, an Assistant Chairman, a Secretary and an Assistant Secretary, and the following Standing Committees, each of which shall elect its own chairman, viz.:

A Ladies' Committee.

An Indenturing Committee.

A Committee on Schools and Libraries.

“ “ “ Employment.

“ “ “ Building and Repairs.

“ “ “ Gardens and Grounds.

“ “ “ Chapels.

“ “ “ Purchasing and Auditing.

“ “ “ Finance.

“ “ “ Discipline and Economy.

Also, three Counsellors and two Physicians.

SEC. 2.—The Board of Managers shall appoint the Superintendents, Assistant Superintendents, Teachers, Matrons, Assistant Matrons, Prefects and Agent or Clerk of the Institution, and such other officers and subordinates as they may determine, and fix their compensation. These officers shall be elected annually, at the first stated meeting of the Board of Managers in the month of January, and shall hold office during the

pleasure of the Board, and no resignation shall take effect, without the consent of the Board, until *one* month after it shall have been tendered.

STATED MEETINGS.

SEC. 3.—Stated Meetings of the Managers shall be held every Thursday, except upon Christmas, Thanksgiving Day and Fourth of July, at four o'clock in the afternoon. At the hour appointed, the Chairman, or, in his absence, the Assistant Chairman, shall call the Board to order. In case of the absence of both those officers, the Board shall appoint a Chairman *pro tem*. Five members shall constitute a quorum for the transaction of business, as provided by Act of Assembly.

ORDER OF BUSINESS.

1. Reading the Minutes of the previous stated and special meetings.

2. Communications.

For the White Department.

3. Reading the Minutes of the Visiting Committee.

4. Superintendent's Journal.

5. Register of Admissions and Discharges.

6. Requisitions.

7. Bills of both Departments.

For the Colored Department.

8. Minutes of the Visiting Committee.

9. Superintendent's Journal.

10. Register of Admissions and Discharges.

11. Requisitions.

12. Reports of Committees.

13. Unfinished Business.

14. New Business.

On the first Thursday of each month,

Reports of the Treasurer and of Standing and Special Committees.

And on the last Thursday of each month,

Visiting Committees shall be appointed for both White and Colored Departments.

CHAPTER II.

CHAIRMAN.

SEC. 1.—The Chairman shall authenticate documents when so instructed by the Board of Managers, and is authorized to call special meetings of the Board at the request of five members, or whenever he may think it necessary. He shall be ex-officio a member of all Standing Committees. He is authorized, by virtue of his office, to grant temporary leave of absence to the Superintendents and Matrons; to invite distinguished strangers, when in the city, to visit the Institution, and report the same to the Board; to approve and confirm the appointment or discharge of all employees of the Institution below the office of Prefect, as presented by the Superintendent; to exercise supervision over the affairs of the Institution, and to communicate in writing to the Board of Managers, from time to time, anything which, in his opinion, will promote the interests or increase the usefulness of the Institution.

SEC. 2.—He shall preside at all meetings of the Board of Managers, and appoint all Special Committees, unless it be otherwise ordered. He shall sign all orders drawn upon the Treasurer. In his absence, his duties shall be performed by the Assistant Chairman, or Chairman *pro tem*.

CHAPTER III.

SECRETARY.

SEC. 1.—The Secretary shall keep fair minutes of the meetings of the Board, and submit them at each Stated Meeting thereof; shall countersign all orders drawn upon the Treasurer by order of the Board, and shall attest all documents when so directed by the Board. In his absence, his duties shall be performed by the Assistant Secretary. In the absence of both those officers, the Board shall appoint a Secretary *pro tem*.

CHAPTER IV.

THE TREASURER.

SEC. 1.—The Treasurer shall keep the cash account of the

House of Refuge, receive and deposit the funds in the name of "The House of Refuge," in such institution as the Board may from time to time, by resolution, direct. He shall report to the Board monthly, and pay no money except upon the order of the Board. He shall hold all title papers or other evidences of property belonging to the Institution; and when leaving office, he shall hand over to his successor all books, title papers, certificates of stock, loans, evidences of indebtedness, &c.

SEC. 2.—All sums of money that have been, or shall hereafter be paid to the Treasurer for the benefit of the children, shall be deposited in a Savings Institution to be approved by the Board; and shall be passed to their credit in the ledger of the Institution, to be kept by the Agent, under the supervision of the Treasurer, who is required to report the same at the first meeting of the Board in February.

CHAPTER V.

LADIES' COMMITTEE.

SEC. 1.—The Ladies' Committee shall consist of twelve members, whose duty it shall be to visit, monthly, the Male and Female Departments, and to advise and confer with the Matrons relative to the management thereof. They shall appoint a sub-committee to visit weekly, to inspect the male and female apartments, to encourage the girls in the practice of virtue and piety, to incite them to habits of industry and cleanliness, and to strict attention to the directions of the Matrons and the rules of the Institution; and make such suggestions to the Matrons, respecting the children, as they think will be useful. They shall also visit all the dormitories, and particularly examine into the condition of the smaller boys. The Committee shall report annually to the Board of Managers, and also, from time to time, any matter they may deem deserving consideration. All vacancies in the Committee shall be filled by the Board of Managers.

SEC. 2.—The Committee and Sub-Committee shall keep a book of minutes, in which they shall note the order, cleanli-

ness and improvement of the children, and make such suggestions as they may think proper and useful to the Matrons, and submit the same to the Board quarterly, or oftener if they desire.

CHAPTER VI.

INDENTURING COMMITTEE.

SEC. 1.—The Indenturing Committee shall consist of eight members, whose duty it shall be to decide upon all applications for apprentices, and to indenture them, with their consent.

SEC. 2.—The children shall be indentured only to persons of good moral character, and in suitable circumstances to receive and educate them in some useful business, and who, in the opinion of the Committee, will feel an interest in their reformation.

SEC. 3.—*No child* shall be apprenticed to a tavern-keeper, or distiller, rectifier, or vendor of spirituous liquors; nor shall *girls* be apprenticed to *unmarried* men, or placed in *boarding-houses, boarding-schools* or *academies for males*.

SEC. 4.—No child shall be put to service unless regularly indentured. A Bible, and a printed paper of advice, relative to his or her future conduct, shall be given to each one when apprenticed; a printed letter shall also be given, with the indenture, to those under whose control the children are placed, recommending them particularly to their parental care and affection. No child shall be apprenticed until after twelve months' residence in the House, except in special cases, and then only with the consent of the Board; and children who cannot be indentured, in consequence of mental or physical infirmity or otherwise, may be returned to their friends, sent to the almshouse, or otherwise placed out. The Committee shall regard it as a part of their supervisory guardianship to keep themselves informed, as far as practicable, of the behavior and condition of all who have been indentured—with the view of promoting their reformation and welfare, and preventing abuse on the part of masters—to examine the correspondence pertaining thereto, and to direct the Superintendents in cases requiring attention or interference.

CHAPTER VII.

COMMITTEE ON SCHOOLS AND LIBRARIES.

SEC. 1.—This Committee shall consist of thirteen members, and shall have the superintendence of the schools and libraries; and the direction of the methods, studies and text-books in the schools. They shall appoint a Superintendent of the schools from among the male officers of the Institution, and assign to him such duties as they may deem necessary. They shall have the selection and charge of the libraries, establish the necessary regulations with respect to the distribution of books therefrom, authorize such lectures and other entertainments for the instruction and enjoyment of the children as they may deem advisable, and nominate the teachers to the Board of Managers for election.

CHAPTER VIII.

COMMITTEE ON EMPLOYMENT.

SEC. 1.—The Committee on Employment shall consist of nine members, who shall have charge of the workshops, endeavor to provide suitable employment for the children, and make all contracts for that purpose, with the approval of the Board of Managers.

SEC. 2.—No contractor or other person shall be employed in the shops except such as are known to be of *good moral character*, whose deportment shall be satisfactory to the Superintendents, and approved by the Committee on Employment.

CHAPTER IX.

VISITING COMMITTEES.

SEC. 1.—The Visiting Committees for each department, shall consist of two Managers, to be appointed by the Chairman at the meeting succeeding the annual election, and on the *last Thursday* in each month. One member of each Committee shall retire monthly. It shall be the duty of these Committees to visit the Houses once a week, to examine carefully all recent

commitments, and to hear, and, after due inquiry, to report upon applications for discharge.

SEC. 2.—It shall be the duty of these Committees to inquire, when new commitments are presented, whether the child was personally before the committing magistrate with its parents, guardian, or nearest of kin.

SEC. 3.—In case any member of the Committees should be prevented from visiting the Houses, he shall procure another member of the Board to attend in his place. The Committees shall record in books, to be read at the meeting of the Board of Managers, such observations as they may deem proper.

SEC. 4.—It shall be the duty of the Committees to examine the medical records, and to see personally all children in confinement and in the infirmaries.

CHAPTER X.

COMMITTEE ON BUILDINGS AND REPAIRS.

SEC. 1.—The Committee on Buildings and Repairs shall consist of five members, and have charge of and superintend all repairs and alterations. It shall not expend *at any one time* more than fifty dollars, without the consent of the Board of Managers.

CHAPTER XI.

COMMITTEE ON GARDENS AND GROUNDS.

SEC. 1.—The Committee on Gardens and Grounds shall consist of three members, and shall have charge of the gardens and grounds, and shall not expend, for the purchase of manure plants, &c., an amount exceeding *thirty dollars in any one year* without the authority of the Board of Managers.

CHAPTER XII.

COMMITTEE ON CHAPELS.

SEC. 1.—The Chapel Committee shall consist of nine members, whose duty it shall be to procure clergymen, or other

suitable persons, to officiate in the chapels on Sunday, both morning and afternoon; and at least one member of the Committee shall attend at those times, or procure a manager to attend in his place. Meetings for Divine worship shall be held on Sundays, Christmas, and Thanksgiving Days, but at no other time, unless by permission of a majority of the Committee, in writing, addressed to the Superintendent.

SEC. 2.—Divine service shall commence in the chapel, on Sunday, at 10½ o'clock in the morning, and at 3½ o'clock in the afternoon. The duration of the service shall not exceed one hour and a half.

SEC. 3.—Visitors will not be permitted to remain on the premises after divine service, or to converse with the children, except by permission of the Superintendent or a Manager in attendance. The Sunday-schools shall be under the direction of this Committee, and all teachers therein shall be approved by it.

CHAPTER XIII.

COMMITTEE ON PURCHASING AND AUDITING.

SEC. 1.—The Committee on Purchasing and Auditing shall consist of six members. All supplies for the Institution, ordered by the Board of Managers, shall be purchased by this Committee; and no purchases shall be made of any member of the Board of Managers, or of any business firm in which he may be directly or indirectly interested. All bills shall be approved by at least one member of the Committee, in addition to the member who *made the purchase*, before being presented to the Board of Managers for payment.

CHAPTER XIV.

COMMITTEE ON FINANCE.

SEC. 1.—The Committee on Finance shall consist of the Treasurer and three members of the Board of Managers. It

shall give its attention to such business as shall be referred to it by the Board.

CHAPTER XV.

COMMITTEE ON DISCIPLINE AND ECONOMY.

SEC. 1.—The Committee on Discipline and Economy shall consist of the *Chairman and Assistant Chairman of the Board of Managers and the Chairmen of all Standing Committees*. The Chairman of the Board shall be Chairman of this Committee. It shall carefully supervise the discipline and general economy of the Institution, and report from time to time to the Board on all matters connected therewith, which it may consider important, or which may be especially referred to it by the Board. It shall nominate to the Board the Superintendents, Matrons, and all other officers, except school teachers.

SEC. 2.—It shall be the duty of this Committee to report to the Board, on the first Thursday of April and October in each year, on the condition of the furniture belonging to the Institution, and the quantity and condition of the clothing.

CHAPTER XVI.

STANDING COMMITTEES.

SEC. 1.—All Standing Committees shall meet at least once a month. They shall keep regular minutes of their proceedings in books provided for the purpose, which shall be submitted to the Board at its Stated Meetings, held upon the *first Thursday* of each month.

SEC. 2.—All resolutions and reports of Standing Committees, submitted to the Board, shall be in writing.

SEC. 3.—The Board reserves the right, at their discretion, to increase or diminish the number of any Committee.

CHAPTER XVII.

CLERK AND AGENT OF THE INSTITUTION.

SEC. 1.—There shall be provided an office, in some convenient part of the city, which shall be open for business every

day, except Sunday and the usual public holidays, from nine o'clock, A. M., till one o'clock, P. M. It shall be open to the Managers and the several Committees of the Board, for such meetings and purposes as may be designated by the Board or the Committees.

SEC. 2.—The Clerk or Agent shall keep the account-books of the Institution, engross the minutes of the Board of Managers and of such Committees as shall be required, in books provided for the purpose. He shall issue all notices, and attend to any business assigned to him by the Board of Managers or either of its Committees.

CHAPTER XVIII.

PHYSICIANS.

SEC. 1.—The Physicians shall be regarded as officers of the Institution, and make reports to the Managers annually, and oftener, if required.

SEC. 2.—They shall have charge of the health of the establishment, visit the Institution twice a week, or as often as may be necessary, give medical advice in case of sickness, and make such suggestions as they may deem proper, with reference to the diet and general sanitary condition of the Institution. They shall enter in a Medical Record their prescriptions, together with such observations as they may think important.

SEC. 3.—The attending Physician is required, every week, to examine into the health of all inmates recently admitted, and record the result in the Medical Register; and also to vaccinate, if necessary, every inmate, as soon as practicable, after admission. Any child with a contagious disease shall be removed, when necessary, to one of the City Hospitals, appropriated for such purposes.

SEC. 4.—Whenever the Physician shall be absent for any cause, he shall be substituted by his colleague.

CHAPTER XIX.

SUPERINTENDENT OF EACH DEPARTMENT.

SEC. 1.—He shall have the direction of all officers and persons employed in his Department, in all matters relative to the enforcement of the rules, regulations and discipline, and shall be responsible for their acts and conduct while on the premises and in the employ of the Board of Managers. The Superintendent and his Assistant shall not be absent from the premises at the same time. He shall preside, at least once a day, over the boys when at meals.

SEC. 2.—He shall *daily inspect*, in person, the various apartments and premises. He shall not absent himself from the establishment for a night, without permission from the Board or the Chairman thereof. He shall keep a *journal of events worthy of note*, record the number of inmates in the House, how employed, the number discharged and under what circumstances; he shall note in it the absence, and the occasion of it, of himself or his subordinate officers when not engaged on business of the Institution, or at the stated periods named in these By-Laws, and submit the same, and any other matter he may deem necessary, to the Board, *at every stated meeting*; and furnish, at all times, such information as may be required by the Board or its Committees. He shall prepare from time to time, for the use of the Indenturing Committee, a list of those children who may properly be indentured, with all necessary and useful particulars regarding them; and also a list of such children as have been in the Institution more than twelve months.

SEC. 3.—He shall conduct the correspondence of the Institution, write at stated periods to masters, and encourage communications from those who have been indentured, and keep copies of all his official correspondence.

SEC. 4.—Whenever a child is required as a witness in any judicial proceeding in this State, the Superintendent shall obey any requisition of the Court, prosecuting Attorney or other competent authority.

SEC. 5.—He shall keep the accounts for the labor of the children, make weekly reports of the amount earned from con-

tractors, and monthly statements of the amounts due, and all defaults of payment, and shall pay over, weekly, to the Treasurer, all the moneys he may receive belonging to the Institution. He shall be careful to keep a regular account of the expenses of the Institution, with every item properly designated; and shall semi-annually take an inventory of the personal property under his care, belonging to it, and furnish the same to the Committee on Discipline and Economy on the third Thursday of March, and September in each year, which inventory shall be entered in a book to be kept for the purpose.

SEC. 6.—He shall inspect every article purchased, and take care that nothing unsound or improper be admitted into his department, and that the contracts are faithfully executed.

SEC. 7.—He shall cause all articles purchased for the Institution to be weighed or measured, and registered, under their respective heads, certify all bills, and cause them to be copied into books provided for the purpose.

SEC. 8.—Visitors may be admitted to attend religious services in the chapel by ticket from any Manager, or at the discretion of the Superintendent; but they are not to be suffered to talk to the children, or have any intercourse with them. It is the duty of the Superintendent to publish this rule to the visitors as often as he may think necessary.

SEC. 9.—He shall report to the Board through his *journal*, the name of any person or persons, male or female, not connected with the Institution, who shall have remained in the house during any day or night of the week, except when allowed by a resolution of the Board.

SEC. 10.—He shall visit and carefully inspect every workshop soon after they have been closed for the night.

SEC. 11.—He is authorized to permit parents or guardians, in special cases, to visit their children oftener than once in two months, whenever he may deem it for the welfare of the child or the interests of the Institution.

SEC. 12.—Children shall be allowed to leave the premises in case of the illness or death of their parents or near relations, by permission of the Superintendent, and accompanied by one of the officers of the house.

SEC. 13.—He may, if necessary, suspend any officer of his department for misconduct or disobedience of orders, until the pleasure of the Board be known, and shall report, at least once in every two months, his views as to the qualifications of subordinate officers, and their fitness for the position held by each, whether there is a strict performance of their duties at all times or a neglect thereof; and suggest such changes as he may regard necessary for the maintenance of the full discipline of the Institution.

SEC. 14.—He shall record in a Register, within forty-eight hours after the admission of every child, the name, age, and a sketch of the life and description of the person; when received, by whom committed, on what charge, and any other remarks that may be useful. At the end of one month, he shall, in the same book, record the result of a second examination, or history of each child, and shall supervise the similar description and history of every girl, the record of which is kept by the Matron of the same department, as provided in Chapter 24th of these By-Laws.

SEC. 15.—No officers in the Institution, except the Superintendent and Matron, or, in their absence, the Assistant Superintendent, or Matron of the girls' department, shall inflict *corporal punishment* upon the inmates, except as provided in Chapter 28th of these By-Laws.

SEC. 16.—He is authorized, at his discretion, and under his own supervision, or that of such of the sub-officers as he may direct, to take a number of boys, not exceeding thirty at any one time, who may be in the Class of Honor, or in Class, No. 1, and in whom full confidence may be placed, into the city, at suitable times, to attend lectures and exhibitions of an improving character; and also, during the warm season, to take a walk into the adjoining rural district, or a short excursion, when sanctioned by the Chairman or Vice-Chairman. He is also authorized to send one or two boys who may be in the Class of Honor, into the city on errands, or to visit their parents.

SEC. 17.—He shall keep a book, in which shall be entered all the rules and orders of the Board relating to the manage-

ment of the Institution, which may *from time to time be communicated* to him by the Secretary.

SEC. 18.—He shall ascertain, when a child has been committed, whether his or her parents or next friend have knowledge of it, and if they have not, he shall, either by mail or otherwise, inform them thereof, and also of the time of meeting of the Visiting Committee.

SEC. 19.—He shall present to the Physician in attendance, for his examination, all the children who have been committed since his previous visit.

CHAPTER XX.

ASSISTANT SUPERINTENDENT OF EACH DEPARTMENT.

SEC. 1.—The Assistant Superintendent shall aid the Superintendent in his various duties, and, in case of the death, indisposition, or absence from the city, of the Superintendent, his duties shall be performed by the Assistant. He shall supervise the boys' workshops, yards, and bathing apartments, and note in a book provided for the purpose all cases *for discipline*, and report the same in the evening of each day to the Superintendent for admonition or punishment. He shall exercise supervision of the dining-rooms, and shall perform such other duties as may be assigned to him by the Superintendent of the department of which he is the Assistant.

SEC. 2.—The Assistant Superintendent, during the absence of the Superintendent, is the superior officer of the House, and at such time, as well as when acting under the direction of his Superior, is to be treated by all subordinates with the respect due to the Superintendent.

CHAPTER XXI.

THE TEACHERS.

SEC. 1.—The teachers shall instruct the children in such branches of education as may be required by the School Committee. They shall use all proper means to inspire them with a love of study, and lead them justly to estimate the value of a sound practical education, and shall constantly strive, by precept

and example, to impress on their minds the importance of good order, self-government, and purity of body and mind.

SEC. 2.—They shall take charge of the children in the school-rooms, and shall require them to be promptly in their places at the appointed time. When permission is granted to children for their absence by the Teacher, they shall be sent by her to the Prefect of the proper Division, who shall take charge of them during said absence or until the close of the Session of the schools of the same day. Offences and cases of delinquency, either in attendance, or in cleanliness of person, or clothing, of the boys shall be reported to the Superintendent, and of the girls to the Matron.

SEC. 3.—They shall be responsible for the safety, care and preservation of all books, furniture, apparatus and fixtures, provided for the schools, and by strict personal examination, see that no injury or waste is suffered.

CHAPTER XXII.

PREFECTS.

SEC. 1.—The Prefects shall take charge of the children when not engaged in the school-rooms, and when they retire to their dormitories for the night. They shall conduct them into their respective school-rooms, dining-rooms and chapels promptly at the appointed hour, and shall resume their charge of them when absence is granted them by their teachers and also at the hour of dismissal from the schools. They shall be under the direction of and subordinate to the Superintendents, and Assistant Superintendents, and shall perform such other duties as may be assigned to them while within the Institution or on business connected therewith.

SEC. 2.—It shall be their duty when in charge of the children, to govern them with kindness and gentleness, to instruct them in moral and religious truths, and maintain strict discipline and obedience to the rules. They shall keep minute books for the purpose of reporting each day to the Superintendents the results of their observations and any infraction of the rules by the children of their respective divisions.

SEC. 3.—The Prefects, in addition to the foregoing, shall have the particular charge of the boys, while they are employed in the workshops.

CHAPTER XXIII.

STORE-ROOM.

SEC. 1.—The store-keeper shall be one of the male officers of the Institution; and under the Superintendent and his Assistant, shall have charge of all the supplies of food, clothing, groceries, etc. Upon the receipt of every article for the use of the Institution, he shall carefully examine it and ascertain that nothing is received that is unsound or imperfect, and also that it corresponds with the invoices in weight, measurement and quantity, and shall enter the same correctly in a book kept for the purpose. He shall deliver no article except upon *written requisitions* from the proper officers, countersigned by the Superintendent, or, in his absence, by the Assistant Superintendent, which requisition shall be his vouchers for such deliveries, and shall be promptly entered in a book kept for the purpose. On a day appointed in each week by the Superintendent, he shall make a written report of all articles needed, in order that the Superintendent may make his requisition therefor. On the last Tuesday of each month, he shall make a written report to the Superintendent of all articles distributed, and the cost of the same, showing the charge of the kind and quantity supplied to each department, and the vouchers by which said articles were issued, and, semi-annually *i. e.*, on the last Tuesday of June and December in each year, he shall take a correct inventory of the stock of every kind under his charge, which shall also be entered in a book, and furnish a copy of the same to the Superintendent. At the close of each day, he shall see that the store-rooms are properly locked and return the key to the Superintendent. The store-rooms shall be opened for two hours each day, for the delivery of such articles as may be required, and as the Superintendent shall direct.

CHAPTER XXIV.

MATRON AND ASSISTANT OF EACH DEPARTMENT FOR GIRLS.

SEC. 1.—The Matrons, with such female assistants as may be appointed, shall have the immediate care and superintendence of the female departments of the Institution. They shall reside in that part of the buildings allotted for females, and shall, when absent from the premises, except as provided in Chapter 25th, report the time and the occasion thereof to the Superintendent, who shall note the same in his journal.

SEC. 2.—The Matrons shall instruct the girls in the various branches of domestic industry and housewifery, and take charge of all the clothes and bedding. In their absence, one of the female officers, appointed for that purpose, shall accompany the Physician, Superintendent or other male officers, whenever it may be necessary for them to visit the apartments of the females.

SEC. 3.—They shall endeavor to unfold to those under their charge the advantages of a moral and religious life, and impress upon them a conviction of the evils and miseries that attend the wicked and profligate.

SEC. 4.—The Matrons only shall be authorized to search and examine the girls or punish them for misconduct. In case of the death, indisposition, or absence from the city of the Matron, her duties shall be performed by the Assistant Matron.

SEC. 5.—She shall keep a record of all events worthy of notice, which shall be submitted to the inspection of the Ladies' Committee and Superintendents.

SEC. 6.—It shall be the duty of the Matron to take the history of the girls within forty-eight hours after they enter the House, and record it in a book provided for the purpose, and to re-examine said girls at the end of one month, and record the result of the second examination in the same book, immediately following the first history.

SEC. 7.—The Matron of the white boys' department, and her Assistant, shall reside in that portion of the Institution designated for their use; and shall be intrusted with the care and general oversight of those parts of the Institution which properly belongs to her office. She shall be provided with such female help as

she may need, and it shall be her duty to see that the dormitories, bedding, and other furniture therein are kept properly cleansed and ventilated, and that the halls and other apartments are always in a cleanly and proper condition. It shall be her duty to see that the food for the boys is properly cooked and placed upon the tables; and also that clean underclothing is provided at suitable times for them. She is specially charged with the care of the younger and smaller boys, and *is to know* that the nurse faithfully performs her duties to the sick.

CHAPTER XXV.

OFFICERS.

SEC. 1.—The officers and persons employed shall conduct themselves in strict conformity with the rules of the Institution. The male officers shall receive their instructions from the Superintendent. The female officers shall be instructed through the Matron. In their intercourse with the children they must conduct themselves so as to exert a beneficial influence, and convince them that a desire for their welfare and happiness is the object aimed at in the Institution, and governs *all* who are concerned in its management.

SEC. 2.—The officers and persons employed in the Institution, shall not absent themselves from the House without express permission of the Superintendent; but with such permission they may be allowed, in rotation, to be absent one afternoon of each week, and one whole Sunday in each month, in accordance with Section 14 of Chapter xxxiv. of these rules. It is understood, however, that the Superintendent may withhold such permission, should there be reasonable ground for so doing.

SEC. 3.—No officer of the House, except the Watchman, shall be engaged in any business or duties other than those pertaining to his office. His whole services belong to the Institution.

SEC. 4.—In all cases where an officer, or person employed in the Institution, may be absent after the prescribed hours, he or she shall report the cause thereof to their respective Superintendents, in order that they may be reported to the Board in accordance with Sec. 14 of Chap. xxxiv. of these By-Laws.

CHAPTER XXVI.

DIVISION AND CLASSIFICATION.

SEC. 1.—The boys and girls of the White Department shall each be separated into four general divisions, in accordance, as far as may be practicable, with character and disposition, and designated as A, B, C, D. The larger children, or, as a general rule, those over fourteen years of age, to occupy the A and B apartments and yards, and those under that age the C and D apartments and yards.

The boys and girls of the Colored Department shall be separated into two divisions each, to be designated as the A and B divisions, on the same principles as those provided for in the White Department.

SEC. 2.—The children shall be divided into eleven classes, class No. 10 being the lowest—advancing to No. 1—and the eleventh being the Class of Honor. When admitted, they shall be placed in Class No. 10, and be promoted (when deserving) monthly, until they have gone through the first ten classes, when they shall be placed in the Class of Honor. After they have been two months in that class, they shall be placed in charge of the Indenturing Committee: Provided, that nothing in this rule shall prevent the Board of Managers from discharging a child when it is obviously to the advantage of the child that he or she should not be longer retained.

SEC. 3.—When a child is committed to the Institution, he or she, so far as practicable, shall be kept apart from the other children until the visiting Physician shall have made the usual examination with regard to their mental and physical condition; and, until the Superintendent shall have decided, after due inquiry in regard to age, character and moral condition, the division into which the child shall be placed. If these examinations are satisfactory to the Visiting Committee, and so reported to the Board, the child may be admitted.

SEC. 4.—No boy shall go into the apartments or yards appropriated for females, nor shall any girl go into those appropriated for males.

CHAPTER XXVII.

REWARDS AND INCENTIVES.

SEC. 1.—The Supreme Court having declared that “*The House of Refuge is not a prison but a school*, where reformation and *not* punishment is the end,” the Superintendent shall, on the admission of every child, explain to them that no punishment will be inflicted for any misconduct previous to their admission. The Superintendent and Matron may grant to those children whose behavior entitles them to their favor and warrants their confidence, such privileges and rewards as may be authorized, for the purpose of encouraging them to perseverance in good conduct. The Superintendents and Matrons will study to occupy the place of parents toward the children committed to their care; to win their confidence and affection, and make them feel that kindness, and a desire for their welfare, is the *spirit* of the Institution.

CHAPTER XXVIII.

PUNISHMENTS.

SEC. 1.—If any child, after having been kindly admonished, shall refuse or wilfully neglect to perform the duty required of him or her, or shall disobey the orders of any of the officers, or shall use profane or indecent language, or shall assault or quarrel with another child, or shall be disorderly after having retired to his or her dormitory, or shall strike or resist an officer, or wilfully injure any property belonging to, the Institution, or otherwise violate its rules, he or she shall be punished.

SEC. 2.—No corporal punishment shall be inflicted upon any child except by the Superintendent or Matron, or, in his or her absence from the city, or sickness, by the Assistant Superintendent or Assistant Matron, and this, when absolutely necessary, must be done with *great caution and forbearance, and never under the influence of passion*. All cases of punishment must be recorded in books, kept for that purpose, in which the offence shall be briefly recited and the punishment administered for the same, and reported to the Board in the Superintendent's journal.

These books shall be submitted to the Committee on Discipline and Economy at every stated meeting.

SEC. 3.—If it should ever be necessary to inflict corporal punishment upon females, it shall be done only by the Matron or Assistant Matron, and reported as above.

Kinds of Punishment that may be used in the Institution.

1. Privation of play and exercise.
2. Sent to bed supperless.
3. Bread and water diet three times a day.
4. Confinement.
5. Corporal punishment, if absolutely necessary.

CHAPTER XXIX.

LABOR.

SEC. 1.—The introduction of labor into the House of Refuge shall be *regarded principally with reference to the moral benefits, rather than any pecuniary advantage to be derived from it*; and preference shall be given to those trades, the knowledge of which may enable the inmates to earn their subsistence on their discharge from the Institution.

SEC. 2.—In order to inure the children to habits of useful industry, and as one of the reformatory processes of the Institution, they shall be employed at labor every day, except Sundays and holidays, viz.: Fourth of July, Thanksgiving Day and Christmas. The boys and girls shall be employed in such arts or trades as may be introduced, and the girls shall also be employed in washing, ironing, sewing, cooking, and other domestic industry, and in making and mending the clothing for the entire establishment.

CHAPTER XXX.

ARRANGEMENT OF TIME.

SEC. 1.—A bell shall be rung every morning at a quarter of an hour before, and also at the time of unlocking the dormitories. In the interval between the ringing of the bells, the

children shall dress, and afterwards wash, comb and prepare for worship in the chapels.

SEC. 2.—The time allotted for work; for leisure and play; for breakfast, dinner and supper; for attending school, and for retiring to sleep, shall be in conformity with the following tables, and each period shall be designated by the ringing of the bell.

TIME TABLE FROM APRIL 1ST TO NOV. 1ST.—7 MONTHS.

			Time occupied.
Time to Rise, ringing of the bell, . . .	5 o'clock, A. M.		
Dressing, Washing, Bathing and Exercise	5 to 5.45		.45
Devotional Exercises in Chapel . . .	5.45 " 6		.15
Breakfast	6 " 6.30		.30
Recess	6.30 " 7		.30
Work, with intermission of ten minutes,	7 " 12		5.
Recess, washing, &c., to prepare for dinner	12 " 12.10		.10
Dinner	12.10 " 12.40		.30
Recreation	12.40 " 1		.20
Work	1 " 3		2.
Recess, play, and washing to prepare for school	3 " 3.30		.30
School	3.30 " 6.30		3.
Supper	6.30 " 7		.30
School-Room Exercises, oral instruction, singing lessons, &c., or recess in yards	7 " 7.45		.45
Devotional Exercise in Chapel . . .	7.45 " 8		.15
Bed	8 " 9		

24.

School	3.
Work	7.
Meals	1.30
Devotions	.30
Recreation, &c.,	3.
Sleep	9.

24 hours.

TIME TABLE FROM NOV. 1ST TO APRIL 1ST—5 MONTHS.

				Time occupied.
Time to Rise, ringing of the bell . . .	5:45 A. M.			
Dressing, Washing, &c.,	5:45 to	6:15		·30
Devotional Exercises in Chapel	6:15 "	6:30		·15
Breakfast	6:30 "	7		·30
Recess	7	"	7:30	·30
Work, with intermission of ten minutes,	7:30 "	12		4:30
Recess, washing, &c., to prepare for dinner	12	"	12:10	·10
Dinner	12:10 "	12:40		·30
Recess	12:40 "	1		·20
Work	1	"	2:30	1:30
Recess, play, and washing to prepare for school	2:30 "	3		·30
School	3	"	6	3·
Supper	6	"	6:30	·30
Recess	6:30 "	7		·30
School-Room Exercises, oral instruction, singing lessons, &c., or recess in yards	7	"	7:45	·45
Recess	7:45 "	8		·15
Devotional Exercise in Chapel	8	"	8:15	·15
Bed	8:15 "	5:45	9:30	
				24·
School	3·			
Work	6·			
Meals	1:30			
Devotions	·30			
Recreations, &c.,	3:30			
Sleep	9:30			
				24 hours.

SEC. 3.—Similar tables shall be arranged for the girls, to correspond in the time devoted to School, labor, &c., as near as possible to the foregoing time-tables.

CHAPTER XXXI.

CLOTHING.

SEC. 1.—The children shall be clothed in comfortable and suitable apparel, uniform in color, and in fashion appropriate to the sexes. All wearing apparel shall, if practicable, be made on the premises, and by the children.

CHAPTER XXXII.

VISITORS.

SEC. 1.—Visitors will be admitted to the Institution on Mondays, Wednesdays, and Fridays of each week, from 10 A. M., to 2 P. M. A ticket of admission will be required, which may be had from any member of the Board of Managers, or of the Ladies' Committee, from the Solicitor or Counsel of the Institution, from the Mayor or Recorder of the City of Philadelphia, or from any of the Judges of the Court of Common Pleas for the City and County of Philadelphia, of the Supreme Court of Pennsylvania, or the Circuit Court of the United States for the Eastern District of Pennsylvania.

SEC. 2.—Visitors are not allowed to converse with the children without the consent of the Superintendent or Matron or of a Manager.

SEC. 3.—The parents, guardians or near relations of the children, may be permitted to visit them once in two months, under such regulations as the Board may make.

SEC. 4.—The Superintendents may admit visitors, in special cases, at their discretion.

CHAPTER XXXIII.

HABEAS CORPUS.

SEC. 1.—The Managers of the House of Refuge, considering the Writ of *Habeas Corpus* one of the most valuable constitutional securities for the protection of the rights of the people, and especially of the children committed to this Institution, *do order*, That the officers shall afford every facility to a judicial investigation of all cases in which the Writ may be issued.

SEC. 2.—The Superintendent of each Department is directed, immediately on the receipt of a *Habeas Corpus*, to furnish the Solicitor of the House with the evidence in his possession relative to the case.

SEC. 3.—Whenever a child shall be required to give testimony in any judicial proceeding in the City of Philadelphia, it shall be the duty of the Superintendent, on the requisition of any Court, Magistrate, or of the District Attorney of the City and County of Philadelphia, to send such child, in care of an officer, to the Authority requiring his or her attendance.

CHAPTER XXXIV.

GENERAL REGULATIONS.

SEC. 1.—Divine service shall be performed in the presence of the officers and children, at the commencement and close of every day.

SEC. 2.—All orders or directions for the management of the Institution, shall be communicated, in writing, by the Secretary of the Board of Managers, or the Chairman of a Standing Committee, to the Superintendents, or, in their absence from the city, to the Assistants.

SEC. 3.—No books, pamphlets or periodicals of an immoral or objectionable character, shall be permitted to be placed in the libraries or handed to the children for their perusal.

SEC. 4.—In order to satisfy parents and others applying for the discharge of children, they may be shown the principal apartments in the Institution, previously to the meeting of the Visiting Committee.

SEC. 5.—The books containing the histories of the children shall be kept strictly confidential, and shall not be taken out of the House, except by authority from the Board; but in all cases of *Habeas Corpus*, the history of the child who is before the Court shall be taken to the Court, for the information of the Judge, *if he so desire*. These books shall not be accessible to any person whatever, except the Superintendents, Matrons and their Assistants; but such of them as may be necessary, shall be produced before the Board at its stated meetings.

SEC. 6.—All books containing the history of the children from the opening of the Institution in 1828, except those in use, shall be locked in the fire-proof in the front office of the White Department, and access to them obtained only by order of the Board of Managers, or of its Committees, or the Superintendents.

SEC. 7.—No intoxicating liquors shall, upon any pretence whatever, except by order of the physicians, be brought into any part of the premises of the Institution, nor shall profane or indecent language be indulged in by any officer, or other person, within its limits.

SEC. 8.—No child shall be allowed to use tobacco.

SEC. 9.—No amusements that promote a disposition to gambling or other pernicious habits, shall be permitted.

SEC. 10.—Watchmen shall patrol all night through the buildings and yards, in order to guard against fire, and to observe, and report forthwith to the Superintendent, any matter demanding his immediate attention.

SEC. 11.—No boys or girls shall be admitted as inmates into the Institution whose age is over sixteen years, unless by a vote of the Board of Managers.

SEC. 12.—No smoking shall be allowed within any part of the premises, and no explosive burning fluid shall be used in the Institution, nor any movable light, except it be secured in a close lantern.

SEC. 13.—Parents and guardians may receive from the Superintendent a permit which will admit them to see their children once every two months; and a record is to be made on the card of every such visit. These visits shall be confined to the hours between one and five o'clock, P. M., of the days designated, and shall take place under the supervision of the Superintendents, Matrons, or one of the officers whom the Superintendents or Matrons may depute to that service.

SEC. 14.—The gates shall be closed at eleven o'clock, P. M., and no person employed on the premises shall be absent after that hour, unless by written permission of the Superintendent, who shall report the case in his journal to the Board, with the reasons therefor; nor shall such permission be granted to more than one officer at the same time.

CHAPTER XXXV.

BY-LAWS, RULES AND REGULATIONS.

SEC. 1.—The By-laws, Rules and Regulations may be amended or altered at any stated meeting of the Board of Managers; Provided, that notice of such amendment or alteration has been given at a previous stated meeting, and that the Secretary has notified the Managers of the proposed amendment or alteration at least two days previous to said meeting. And, Provided, also that at least twelve members of the Board are present when such alteration is acted upon.

ARTICLES OF ASSOCIATION

OF THE

HOUSE OF REFUGE.

The undersigned, citizens of the Commonwealth of Pennsylvania, associate for the purpose of establishing and conducting an institution for the confinement and reform of youthful delinquents, to be denominated "The House of Refuge." Every citizen subscribing these Articles of Association, and paying fifty dollars, or ten dollars annually for six years, shall be a member for life; and every citizen subscribing these articles, and paying two dollars annually, shall be a member while he continues to contribute.

On the first Monday of May next, and annually thereafter on that day, and at such place as may be designated by notice in at least two of the daily newspapers published in the city of Philadelphia, the members of the Association shall assemble and elect the following officers:—1. A President, two Vice-Presidents, a Treasurer, and a Secretary of the Association. 2. A Board of twenty-one Managers, of whom five shall constitute a quorum for the transaction of business, who shall appoint from their own number a chairman and a secretary, and prescribe the respective duties of each.

This Board shall also appoint a committee of twelve judicious females, to assist in the management of the House of Refuge, by imparting advice to the youth confined therein, and by bestowing their attention and care upon the domestic economy of the establishment.

This Board shall employ a steward and a matron, with such other assistants as they may deem necessary, and fix the compensations for their services; and they shall select two physicians and two solicitors, who may consent to act gratuitously.

This Board shall provide a suitable building as a House of Refuge, in the city or county of Philadelphia, and establish such regulations respecting the religious and moral education, training, employment, discipline and safe keeping of its inhabitants as may be deemed expedient and proper.

This Board shall make a written report of its proceedings, and the Treasurer shall furnish a full exhibition of his accounts, at every annual meeting of the Association; and the President, or either of the Vice-Presidents, at the written request of ten members, shall call special meetings of the Association.

These Articles may be altered and additions made thereto, at any annual or special meeting of the Association, provided notice in writing of the proposed alterations or additions shall have been furnished to the Board of Managers at least one month before they are considered, and of any such notice, it shall be the duty of the Board of Managers to give due and public information.

PHILADELPHIA, *February*, 1826.

ACT OF INCORPORATION.

AN ACT to incorporate the Subscribers to the Articles of Association, for the purpose of establishing and conducting an Institution for the Confinement and Reformation of Youthful Delinquents, under the title of the House of Refuge.

WHEREAS, an association of citizens of this Commonwealth hath been formed in the city and county of Philadelphia, for the humane and laudable purpose of reforming juvenile delinquents, and separating them from society and intercourse of old and experienced offenders, with whom, within the prisons of said city, they have been heretofore associated, and thereby exposed to the contamination of every species of vice and crime, and the members of the said Association having prayed to be incorporated, Therefore

SEC. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all such persons as now are, or shall hereafter become subscribers to the said Association, in the manner herein-after provided, be, and they are hereby incorporated, and made a body politic in law, by the name, style and title of "The House of Refuge;" and by that name, style and title, shall have perpetual succession, with the power to have a common seal, and to change the same at pleasure: to make contracts relative to the Institution, to sue and be sued, and by that name and style, be capable in law of purchasing, taking, holding and conveying any estate, real or personal, for the use of said corporation: *Provided*, That the annual income of such estate shall

not exceed in value five thousand dollars, nor be applied to any other purposes than those for which this incorporation is formed; and also to establish by-laws and orders for the regulation of the said Society, and the preservation and application of the funds thereof: *Provided* the same be not repugnant to the Constitution and laws of the United States, or of this Commonwealth.

SEC. 2. And be it further enacted by the authority aforesaid, That every person who hath subscribed the said articles of association, or who shall hereafter subscribe the same, and pay to the funds of the institution the sum of fifty dollars, or ten dollars annually for the term of six years, shall be a member for life; and every person paying the sum of two dollars annually shall be a member while he continues to contribute the said sum, such payment to be made at the time and in the manner to be prescribed by the by-laws of the said Association.

SEC. 3. And be it further enacted by the authority aforesaid, That the estate and concerns of the said Corporation shall be conducted by the following officers: a President, two Vice Presidents, a Treasurer, and a Secretary, and twenty-one Managers,* of whom five shall constitute a quorum for the transaction of business, who shall appoint from their own body, a chairman and a secretary, and prescribe the duties of each. That the members of the said Association shall assemble on the first Monday of May† annually, at such place in the said city as the Board of Managers may, from time to time, appoint, and of which the President, or in case of his absence, or refusal to give the same, the Secretary, or any member of the said Association, shall give notice in at least two of the daily papers of the city of Philadelphia, and elect, by a plurality of ballots, the aforesaid officers; and whenever any vacancy shall occur by death, removal from the city or county, or otherwise, the same shall be filled, for the remainder of the year, by such person, being a subscriber to the said articles of Association, as the Board of Managers, for the time being, or a major part of them, shall

* See Act of March 30th, 1832, page 33.

† See Sec. 4., Act of April 10th, 1835, page 41.

appoint: *Provided*, That the notice of the election to be held in May next, may be given by the committee appointed for that purpose by a meeting of citizens held on the first day of March instant.

SEC. 4. And be it further enacted by the authority aforesaid, That if the annual election shall not take place on the day appointed for that purpose, the said Corporation shall not, therefore, be dissolved, but the members of the said Board shall continue in office until a new election, which shall be had at such time and place, and after such notice as the said Board shall prescribe; and in case of an equality of votes for any one or more persons as a member or members of the said Board of Managers, the said Board shall determine which of such persons shall be considered as elected, and such person or persons shall take his or their seats, and act accordingly.

SEC. 5. And be it further enacted by the authority aforesaid, That the Board of Managers shall provide a suitable building, as a House of Refuge, in the City or County of Philadelphia, and establish such regulations respecting the religious and moral education, training, employment, discipline, and safe keeping of its inhabitants, as may be deemed expedient and proper.

SEC. 6. And be it further enacted by the authority aforesaid, That the said Managers shall, at their discretion, receive into the said House of Refuge such children who shall be taken by or committed as vagrants, or upon any criminal charge, or duly convicted of criminal offences, as may, in the judgment of the Court of Oyer and Terminer, or of the Court of Quarter Sessions of the peace of the county, or of the Mayor's Court of the City of Philadelphia, or of any Alderman or Justice of Peace, or of the Managers of the Alms-house and House of Employment, be deemed proper objects; and the said Managers of the House of Refuge shall have power to place the said children committed to their care, during the minority of the said children, at such employments, and cause them to be instructed in such branches of useful knowledge, as may be suitable to their years and capacities; and they shall have power in their discretion, to bind out the said children, with their con-

sent, as apprentices, during their minority, to such persons, and at such places, to learn such proper trades and employments, as in their judgment will be most conducive to the reformation and amendment, and will tend to the future benefit and advantage of such children: *Provided*, That the charge and power of the said Managers upon and over the said children shall not extend, in the case of females, beyond the age of eighteen years.*

SEC. 7. And be it further enacted by the authority aforesaid, That the said Managers of the House of Refuge, under this act, may, from time to time, make by-laws, ordinances, and regulations, relative to the management, government, instruction, discipline, employment, and disposition of the said children, while in the said House of Refuge, not contrary to law, as they may deem proper, and may appoint such officers, agents, and servants, as they may deem necessary to transact the business of the said Corporation, and may designate their duties; and further, that the said Managers shall make annual report to the Legislature of this Commonwealth, of the number of children received by them into said House of Refuge, the disposition which shall be made of the said children, by instructing or employing them in the said House of Refuge, or by binding them out as apprentices, the receipts and expenditures of the said Managers, and generally all such facts and particulars as may tend to exhibit the effects, whether beneficial or otherwise, of the said Association; and the right to alter, amend, or repeal this act, is hereby reserved on the part of the Commonwealth.

SEC. 8. And be it further enacted by the authority aforesaid, That the lot of ground, and the buildings which may be erected thereon, for the use and object of the said Association, shall be free of tax.

Approved March 23, 1826.

* See Sec. 1, Act of April 10th, 1835, page 38; Sec. 7, Act of April 11th, 1850, page 41; and Sec. 1, Act of January 26th, 1854, page 42.

*The Act of Assembly, March 30th, A. D. 1832, P. L. 1831-32
pages 224-25, Provides*

That the Mayor of the City of Philadelphia shall, on the first Monday in May next, and on the same day in each and every year thereafter, appoint two competent persons to act as Managers for the said House of Refuge; and the Judges of the Court of Quarter Sessions of the County aforesaid, at the time aforesaid, shall appoint three competent persons for the above purposes; and the managers so appointed, together with those elected* by the Stockholders of the Institution, shall compose the board of managers; and so much of any act as is hereby altered or supplied is hereby repealed,

A supplement to an Act entitled, an Act to incorporate the Subscribers to the Articles of Association, for the purpose of establishing and conducting an Institution for the Confinement and Reformation of youthful Delinquents, under the title of the House of Refuge, passed March 23, 1826.

SEC. 1. Be it enacted by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That in lieu of the manner prescribed by the sixth section of the act,† to which this is a supplement, it shall be lawful for the Managers of the House of Refuge, at their discretion, to receive into their care and guardianship, infants, males under the age of twenty-one years, and females under the age of eighteen years, committed to their custody in either of the following modes, viz :

1st. Infants committed by an Alderman or Justice of the Peace, on the complaint and due proof made to him, by the parent, guardian, or next friend of such infant, that by reason of incorrigible or vicious conduct, such infant has rendered his

* See Sec. 3, Act of March 23d, 1826, page 35.

† See Sec. 6, Act of March 23d, 1826, page 36.

or her control beyond the power of such parent, guardian or next friend, and made it manifestly requisite that from regard for the morals and future welfare of such infant, he or she should be placed under the guardianship of the Managers of the House of Refuge.

2d. Infants committed by the authority aforesaid, where complaint and due proof have been made, that such infant is a proper subject for the guardianship of the Managers of the House of Refuge, in consequence of vagrancy, or of incorrigible or vicious conduct, and that from the moral depravity or otherwise of the parent, or next friend in whose custody such infant may be, such parent or next friend is incapable or unwilling to exercise the proper care and discipline over such incorrigible or vicious infant.

3d. Infants committed by the Courts of this Commonwealth in the mode provided by the act, to which this is a supplement.

SEC. 2. That it shall be the duty of any Alderman, or Justice aforesaid, committing a vagrant or incorrigible or vicious infant as aforesaid, in addition to the adjudication required by the first section of this act, to annex to his commitment the names and residences of the different witnesses examined before him, and the substance of the testimony given by them respectively on which the said adjudication was founded.

SEC. 3. That it shall be the duty of the President and legal Associates of the Common Pleas of Philadelphia County, the Judges of the District Court of the City and County of Philadelphia, and the Recorder of the City of Philadelphia, alternately in such manner as may be arranged between them at a joint meeting for that purpose, from time to time held, to visit the House of Refuge, at least once in two weeks, or oftener, if to the said Judges it shall seem requisite, and it shall be the duty of the Judge or Recorder so visiting the House of Refuge, carefully to examine into all the commitments to the said House of Refuge, made by the Aldermen, or Justices aforesaid, that have not previously been adjudged upon by one of the said Judges or the Recorder, in the manner hereinafter directed, which commitments it shall be the duty of the Managers of the House of Refuge, truly and correctly to lay before the said Judge

or Recorder, and on such examination, said Judge or Recorder shall have produced before him by the Managers aforesaid, their superintendent or agent, the infant or infants described in such commitment, and the testimony upon which he or she shall have been adjudged a fit subject, for the guardianship of said Managers, or on which he or she shall be claimed, to be held as such, and if, after examining the infant and such testimony, the said Judge or Recorder shall be of opinion, that, according to the laws of this commonwealth regulating the control of infants, a case has been established which in his opinion would, according to law, authorize the transfer of the parental authority over such infant, to the Managers of the House of Refuge, then and in that case, it shall be the duty of the said Judge or Recorder to endorse an order on the commitment of the Justice or Alderman, or directing the infant to be continued under the guardianship of the Managers of the House of Refuge, after which it shall be lawful for said Managers to exercise over all such infants, the powers and authorities given them by the act, to which this is a supplement. But if the said Judge or Recorder shall be of opinion, that such case has not been made out, he shall order such infant to be forthwith discharged, which order shall be obeyed by the Managers, under the pains and penalties provided by law against wrongful imprisonment: Provided, that it shall be the duty of said Judge or Recorder, at the request of such infant or any person in his behalf, to transfer such hearing to the court-house of the Court of which he is a member, in order that the infant may have the benefit of counsel and of compulsory process, to obtain witnesses required in his or her behalf, which such Judge or Recorder is hereby authorized to award as fully and amply as any Judge or Court could do on the hearing of a writ of Habeas Corpus: And Provided also, That nothing in this act contained, shall be construed to interfere with the provisions of an act, entitled "an act for the better securing of personal liberty and preventing unlawful imprisonment," passed on the 18th day of February, 1785, commonly called the Habeas Corpus act.

SEC. 4. The annual meeting of the Contributors to the House

of Refuge shall be held on the second Wednesday in January, in each and every year, instead of the first Monday in May,* and that the Board of Managers shall then lay before the Contributors and transmit to the Legislature their Annual Report, and that this section shall go into operation on the second Wednesday of January, 1836.

Approved April 10, 1835.

An Act to erect the Village of Doverville, in the County of Philadelphia, into a Borough, by the name and title of the "Commissioners and Inhabitants of the Borough of Aramingo, in the County of Philadelphia," and relating to the House of Refuge, passed the 11th day of April, 1850.

SEC. 7. That the power and charge of the Managers of the House of Refuge over the inmates of that Institution shall extend in the case of females, who, on their admission, may be sixteen years of age, to the age of twenty-one years;† and that so much of any law or laws of this Commonwealth, as conflict with the provisions of this section, be, and the same is hereby repealed.

A further Supplement to an Act entitled "An Act to incorporate the subscribers to the Articles of Association for the purpose of establishing and conducting an Institution for the confinement and reformation of delinquents, under the title of "The House of Refuge," passed the 23d day of March, 1826.

WHEREAS, The new buildings now in course of erection by "The House of Refuge" are approaching completion, and are adapted for the proper accommodation and classification of double the number of inmates which the buildings at present occupied are capable of receiving,—

* See Sec 3, Act of March 23d, 1826, page 35.

† See Sec. 6, Act of March 23d, 1826, page 37; and Sec. 1, Act of January 26, 1854, page 42.

AND WHEREAS, It is deemed desirable, by the Board of Managers, that the counties (other than that of Philadelphia) composing the Eastern District of Pennsylvania, should have extended to them greater facilities for the commitment of Juvenile Delinquents to the Institution, in order that said counties may participate more fully in its benefits,—

AND WHEREAS, The Board of Managers of the said House of Refuge have memorialized the Legislature, praying that the sum of Twenty Thousand Dollars, payable in four equal annual installments of Five Thousand Dollars, may be appropriated from the Treasury of the Commonwealth, for the purpose of completing the said buildings: Therefore,—

SEC. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, that in addition to the cases provided for by the Fourth Section of the Act entitled “An Act to endow the House of Refuge, and for other purposes therein mentioned,” passed the 2d day of March, 1827, the Managers of “The House of Refuge” shall receive under their care and guardianship, infants under the age of twenty-one years, committed to their custody, by two Judges, the President Judge being one, of the Court of Common Pleas of any County in the Eastern District of Pennsylvania* (which said District shall embrace all the Counties of the Commonwealth from which infants cannot be sent to the ‘House of Refuge of Western Pennsylvania’) except the County of Philadelphia, in which said infant resides or may be found, on complaint and due proof made to them by the parent, guardian, or next friend of such infant, that such infant is unmanageable and beyond the control of the complainant, and that the future welfare of said infant requires that such infant should be placed under the care and guardianship of the said Managers of the House of Refuge; or when said complaint and due proof shall be made by the prosecuting officer of the County, that said infant is unmanageable, or a vagrant, and has no parent or guardian capable and willing to restrain, manage, and take proper care of such infant.

* See Sec. 6, Act of March 23d, 1826, page 36.

SEC. 2. That the said Judges shall carefully examine the complaint made to them in the presence of the complainant and infant complained of, and for the purpose of bringing the parties and witnesses before them, shall be fully authorized to use such process of the Court as may be necessary; and where the said Judges shall adjudge an infant to be a proper subject for the care and guardianship of the said Managers of the House of Refuge, they shall, in addition to their adjudication, transmit to the said Managers the testimony taken before them, on which their adjudication was founded, and the said testimony shall be taken under oath or affirmation of the witnesses, and in the presence of the party complained of.

SEC. 3. That the power and authority of the said Managers of the House of Refuge shall be as full and ample in all respects over the infants committed to their care and guardianship, under this Act, as are given and granted to the said Managers over infants committed to their care and guardianship from the County of Philadelphia, by the said Act, entitled "An Act* to incorporate the subscribers to the Articles of Association for the purpose of establishing an Institution for the confinement and reformation of juvenile delinquents, under the title of 'House of Refuge.'"

Approved 26th January, 1854.

An Act relative to the Houses of Refuge in Philadelphia and Alleghany Counties.

SEC. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Board of Managers of the Houses of Refuge for the reformation of Juvenile Delinquents in Philadelphia and Alleghany Counties, are hereby respectively authorized, whenever they deem it for the interest of any white† inmate duly committed to their custody, to bind or indenture such white inmate to service during his or her minority, although the party

* See Sec. 6, Act of March 23d, 1826, page 36.

† See Sec. 1, Act of April 22d, 1858, page 44.

to whom the indenture may be made may be a citizen of one of the United States other than this Commonwealth. Provided, That no such Indenture to service out of this Commonwealth shall be made without the consent first given of said white inmate.

Approved May 12th, 1857.

An Act relative to the House of Refuge in Philadelphia.

SEC. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the Board of Managers of the House of Refuge for the Reformation of Juvenile Delinquents in Philadelphia, are hereby authorized, whenever they may deem it for the interests of any colored* inmate duly committed to their custody, to bind or indenture such colored inmate to service during his or her minority, although the party to whom the indenture may be made may be a citizen of one of the United States other than this Commonwealth: Provided, that no such indenture to service out of this Commonwealth shall be made without the consent first given of such colored inmate: Provided further, that the said Board of Managers are not permitted to bind such colored inmates to persons residing in slave States.

Approved 22d April, 1858.

A further supplement to an Act, entitled "An Act to incorporate the subscribers to the Articles of Association for the purpose of establishing and conducting an Institution for the Confinement and Reformation of Youthful Delinquents, under the title of "The House of Refuge," passed March 23d, 1826.

SEC. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the

* See Sec. 1, Act of May 12th, 1857, page 43.

same, That the Managers shall, in their discretion, receive into the House of Refuge such children as may be convicted of any misdemeanor, or criminal offence, in any Court of Quarter Sessions of any County, other than the County of Philadelphia, in the Eastern District of this Commonwealth, as shall, in the judgment of the said Court, be deemed a proper subject for the care and guardianship of the Managers of the House of Refuge aforesaid.

SEC. 2. That the power and authority of the Managers of the House of Refuge aforesaid, shall be as full and ample, in all respects, over the children committed to their care and guardianship, under this act, as are given and granted to the said Managers over children committed to their care and guardianship by the said act, entitled "An Act to incorporate the subscribers to the Articles of Association, for the purpose of establishing and conducting an Institution for the Confinement and Reformation of Juvenile Delinquents, under the title of the House of Refuge."

SEC. 3. That the fourth section of a further supplement to an act, entitled "An Act to incorporate the subscribers to the Articles of Association, for the purpose of establishing and conducting an Institution for the Confinement and Reformation of Juvenile Delinquents, under the title of the House of Refuge," passed the second day of March, one thousand eight hundred and twenty-seven, be and the same is hereby repealed.

Approved 10th day of January, A. D. 1867.

ACT OF THE STATE OF DELAWARE.

A supplement to an Act entitled "An Act concerning Apprentices and Servants," passed the fifth day of February, Anno Domini 1827.

PREAMBLE.

Whereas the Commonwealth of Pennsylvania did, on the twenty-third day of March, Anno Domini one thousand eight hundred and twenty-six, incorporate the House of Refuge, and did by the said act of incorporation empower the said House of

Refuge to bind out children committed to their care as apprentices during their minority, and with their consent: Provided, that in case of females the power of the said Managers should not extend beyond the age of eighteen years: And Whereas the said Commonwealth of Pennsylvania did, by an act passed the eleventh day of April, Anno Domini 1850, No. 311, extend the power and charge of the Managers of the House of Refuge over females who on their admission may be over sixteen years to the age of twenty-one years; and whereas a number of the inmates of the said House of Refuge have, with their consent, been apprenticed by the said House of Refuge to citizens of this State; and Whereas it is desirable that there should be no doubt as to the validity of the said indentures:

SEC. 1. Therefore, be it enacted by the Senate and House of Representatives in General Assembly met, That indentures of apprenticeship by which inmates of the said House of Refuge have heretofore been, or may hereafter be, with the consent of the said inmates, bound as apprentices to citizens of the State of Delaware, shall be as good and valid to all intents and purposes whatever as if the said binding had been within this State, and in conformity with the provisions of the laws of this State.

Passed at Dover, February 20, 1857.

The following is a copy of an Act passed by the Legislature of Illinois, February 16th, 1859.

AN ACT CONCERNING APPRENTICES.

PREAMBLE.

Whereas, the Commonwealth of Pennsylvania did, on the twenty-third day of March, Anno Domini 1826, incorporate the House of Refuge, and did by the said act of incorporation empower the Managers of the said House of Refuge to bind out the children committed to their care as apprentices during their minority, and with their consent: *Provided*, that in the case of females the power of the said Managers should not extend beyond the age of eighteen years; and whereas, the said Commonwealth of Pennsylvania did, by an act passed the eleventh

day of April, Anno Domini 1850, No. 311, extend the power and charge of the said Managers of the said House of Refuge over females who on their admission may be over sixteen years of age, to the age of twenty-one years; and whereas a number of the inmates of the said House of Refuge have, with their consent, been apprenticed by the Managers of the said House of Refuge to citizens of this State; and whereas it is desirable that there should be no doubt as to the validity of the said indentures: Therefore,—

SEC. 1. Be it enacted by the people of the State of Illinois represented in the General Assembly, That indentures of apprenticeship by which inmates of the said House of Refuge have heretofore been, or may be hereafter, with the consent of said inmates, bound as apprentices to citizens of the State of Illinois, shall be as good and valid to all intents and purposes whatever as if said binding had been had within the State of Illinois.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 16th, 1859.

NEW JERSEY.

A Supplement to an Act entitled "An Act respecting Apprentices and Servants."

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the binding, by indenture mentioned in the first section of the act to which this is a supplement, may lawfully be made by the Board of Managers of the House of Refuge, incorporated by the State of Pennsylvania; and all such indentures, if in other respects conformable to the provisions of said act, shall be deemed and held to be valid and effectual in law.

2. And be it enacted, That all bindings heretofore made by the said Board of Managers are hereby declared valid and effectual in law.

3. And be it enacted, That this act shall take effect immediately.

Approved March 15th, 1859.

Extract from a Circular sent to the Aldermen of Philadelphia, stating that Minors may be committed to the House of Refuge.

1. For incorrigible or vicious conduct, on complaint of the parent, guardian, or next friend.
2. For incorrigible, or vicious conduct, where the complaint is made by any citizen.
3. For vagrancy.

It is *necessary* that the infant complained of should be before you, and be examined by you; and it is very desirable that the friends of such infant should have an opportunity of being present at this examination.

You are aware that your jurisdiction does not extend beyond the City of Philadelphia, and that infants cannot be brought here from other States, or from any other county of our own State, for the purpose of having them placed in the Refuge.

The Refuge is not a place of punishment, but a school, intended for the reformation of the disobedient and wayward child. Those, therefore, who have been long in the commission of crime, and are approaching to manhood, would not be proper subjects. In most cases those who are beyond the age of sixteen are not desirable subjects, but there may be exceptions, and as the great object of the Refuge is to *save*, each case must be judged of on its own merits. You will, therefore, be pleased to send every infant whom you, after mature deliberation, may consider a suitable subject for the guardianship of the Managers.

Extract from a Circular issued by the Board of Managers.

The House of Refuge "is a manual labor school for the reformation of juvenile delinquents, not a prison for their punishment. In it, the wayward, disobedient youth, who, refusing submission

to parental control, is fast hastening on to the commission of crime; the friendless orphan, who, for want of proper guidance and restraint, has been led into the paths of vice; the vagrant and the petty thief, find a home, where, under a firm but mild government, they are instructed in the elementary branches of an English education, taught some industrial pursuit, trained to habits of obedience, and, above all, carefully instructed in the nature of their moral and religious obligations. Ample time is afforded for play and recreation to those inmates who conform to the rules of the Institution, and comply with the commands of its officers; while to those who are slothful or disobedient, play time is abridged, or, for a time, wholly disallowed; careful regard being had to the health of all inmates.

“Since idleness is one of the most fertile sources of crime, a large part of the time of the inmates is devoted to industrial pursuits, and thus the training of the idler to habits of industry is a means of defraying a portion of the expenses of the Institution.”

The constitutionality of that feature of the act establishing the House of Refuge which authorizes the commitment of subjects not convicted of crime, is clearly set forth (as are also the objects for the attainment of which the Institution was established) in *the decision of the Supreme Court of Pennsylvania*, December Term, 1838, which we quote, as follows:—

“*[Ex parte Crouse.—Habeas Corpus.]*

PER CURIAM.—The House of Refuge is not a prison but a school, where reformation and not punishment is the end. It may indeed be used as a prison for juvenile convicts who would else be committed to a common jail; and in respect to these, the constitutionality of the act which incorporated it stands clear of controversy. It is only in respect of the application of its discipline to subjects admitted on the order of a court, a magistrate, or the Managers of the Almshouse, that a doubt is entertained. The object of the charity is reformation, by training its inmates to industry; by imbuing their minds with principles of morality and religion; by furnishing them with means to earn a living; and, above all, by separating them from the corrupt-

ing influence of improper associates. To this end may not the natural parents, when unequal to the task of education, or unworthy of it, be superseded by the *parens patrie*, or common guardian of the community? It is to be remembered that the public has a paramount interest in the virtue and knowledge of its members, and that, of strict right, the business of education belongs to it. That parents are ordinarily intrusted with it, is because it can seldom be put into better hands: but where they are incompetent or corrupt, what is there to prevent the public from withdrawing their faculties, held, as they obviously are, at its sufferance? The right of parental control is a natural but not an unalienable one. It is not excepted by the Declaration of Rights out of the subjects of ordinary legislation; and it consequently remains subject to the ordinary legislative power, which, if wantonly or inconveniently used, would soon be constitutionally restricted, but the competency of which, as the government is constituted, cannot be doubted. As to abridgment of indefeasible rights by confinement of the person, it is no more than what is borne, to a greater or less extent, in every school; and we know of no natural right to exemption from restraints which conduce to an infant's welfare. Nor is there a doubt of the propriety of their application in the particular instance. The infant has been snatched from a course which must have ended in confirmed depravity; and, not only is the restraint of her person lawful, but it would be an act of extreme cruelty to release her from it.

Remanded."

In order to show the safeguards that are thrown around these commitments, by law and by the uniform practice of the Managers, we append the following statement of the course pursued in all cases. In the first place, there is an examination before a Court of Justice or a Magistrate, and if deemed a suitable subject, the child is delivered at the House, with a commitment containing in writing, not only the charge, but the evidence and affidavits upon which it is based. Then, for the first time, the duties of the Board of Managers begin. A Committee of that Board, every Wednesday, meet at the House to examine the commitments of the previous week. This is done, not only

upon the affidavits submitted, but upon a hearing of the child, and of its friends who may attend, and upon personal inquiry, in many cases, at the homes or places of residence of those children, by the members of the Committee and the Agent of the House. If upon all the information thus obtained, the Visiting Committee regard the child as a suitable or unsuitable subject for the Refuge, they make a report in writing to the Board, consisting of thirty-one members, who meet on the following day, and either confirm or reject the action of the Committee. The result is, that of all the commitments by the Courts and the Magistrates, a considerable proportion of the children are discharged at the outset.

But this is not all. As a further precaution, the law enacts that it shall be the duty of the President and Associate Judges of the Common Pleas, of the District Court, and the Recorder of the City, alternately, in such manner as may be arranged between them, at a joint meeting for that purpose, to visit the House of Refuge at least once in two weeks, or oftener if they shall deem it requisite. Then and there the child is required to be produced before the Judge, with all the testimony in the case, and the Judge determines whether it is a fit subject for the guardianship of the House. If he thinks not, the child is immediately discharged, without further action of the Managers. This scrutiny and detail of examination is never omitted.

But, if after all this, any friend of the child is dissatisfied, there remains the *Writ of Habeas Corpus*, and the opportunity of having the case openly heard in Court; and the following is a standing order of the Board of Managers, viz: "Considering the Writ of Habeas Corpus one of the most valuable constitutional securities for the protection of the rights of the people, and especially of the children committed to this Institution, *do order*, That the officers of the House shall afford every facility to a judicial investigation of all cases in which the Writ may be issued.

It is difficult to conceive what greater safeguards could be provided against error or hardship in these cases. The fact is, as shown by the records of the Institution, that, even after the

final action of the Courts, the Managers take the earliest suitable opportunity to transfer these children to the guardianship of parents, friends, or masters, as the welfare of the child or of society will permit.

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